



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
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Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

Date: March 9, 2016

Mr. Wesley Atamian
Home Market Foods, Inc.
140 Morgan Drive
Norwood, MA 02062

RE: Norwood
Transmittal No.: X269664
Application No.: SE-16-006
Class: SM80-7
FMF No.: 429284
**ADMINISTRATIVE AMENDMENT TO
AIR QUALITY PLAN APPROVAL No.
SE-15-020**

Dear Mr. Atamian:

The Massachusetts Department of Environmental Protection ("MassDEP"), Bureau of Air and Waste, has reviewed your Administrative Amendment Application ("Application") listed above. This Application concerns the amendment of existing NMCPA No. SE-15-020 which proposed construction, alteration and/or operation of a new smoker oven and existing cooking lines at your meat processing facility located at 140 Morgan Drive in Norwood, Massachusetts ("Facility").

This Application was submitted in accordance with 310 CMR 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 "Air Pollution Control," regulations adopted by MassDEP pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-J, Chapter 21C, Section 4 and 6, and Chapter 21E, Section 6. MassDEP's review of your Application has been limited to air pollution control regulation compliance and does not relieve you of the obligation to comply with any other regulatory requirements.

MassDEP has determined that the Application is administratively and technically complete and that the Application is in conformance with the Air Pollution Control regulations and current air pollution control engineering practice, and hereby grants this **Plan Approval** for said Application, as submitted, subject to the conditions listed below.

Please review the entire Plan Approval, as it stipulates the conditions with which the Facility owner/operator ("Permittee") must comply in order for the Facility to be operated in compliance with this Plan Approval.

1. DESCRIPTION OF FACILITY AND APPLICATION

Home Market Foods (HMF) owns and operates a meat processing facility which is located at 140 Morgan Drive in Norwood Massachusetts. The facility produces a variety of frozen meat products for the wholesale and retail markets throughout the United States. The facility currently operates in accordance with Non-Major Comprehensive Plan Application (NMCPA) No. SE-15-020, as amended by Administrative Amendment No. SE-16-006.

The existing facility consists of three conveyer-type meat cooking lines, an Enviropak smoker oven, and ancillary process equipment to facilitate mixing, freezing, packaging and cleaning. The three ovens and the smoker oven are vented to an Anguil Environmental Systems model 300 regenerative thermal oxidizer (RTO) to control particulate matter (PM), odor, and visible emissions. The RTO was installed inside the HMF building, and is vented to one dedicated stack 80 feet in height and approximately 50 feet above the building roof. The RTO was sized to accommodate future production expansion. The air streams from the cook lines are manifolded into one duct and directed to the Anguil RTO through one 400 HP centrifugal fan located downstream from the RTO. The RTO has a capacity of 30,000 standard cubic feet per minute (scfm), a residence time of 0.8 second at capacity, and is fired with natural gas. Two vertical chambers filled with structured heat transfer media and ceramic saddles both preheat the process exhaust and cool the oxidizer combustion chamber exhaust, achieving up to 95% heat recovery. The two chambers alternate in these two functions through the use of two air activated poppet-style diverter valves, with a design cycle time of approximately 3 minutes in each mode. The process exhaust first passes up through one heat recovery chamber where it is preheated, then into the combustion chamber where it is further heated by one Maxon Kinemax low-NOx natural gas burner with a total gross heat release capacity of 10.0 MMBTU/hour. The process exhaust is heated to a temperature of at least 1,550°F in the combustion chamber, and then passes down through the second heat recovery chamber where heat is transferred to the ceramic media. The exhaust is then vented through an air to water heat exchanger unit and through the stack at a temperature of approximately 160-350°F.

To help remove particulate matter before it reaches the RTO itself, a self-cleaning ceramic pre-filter is installed upstream from the RTO. The filter has four operating quadrants: process exhaust will flow through three quadrants while a slipstream of hot air from the RTO combustion chamber burns off any organic buildup on the fourth quadrant. Pressure drop across the filter will range from 0 to 5 inches water, and is monitored to determine the frequency of the burn off.

The RTO itself can also be operated off-line from the process in a bake out mode to remove any organic buildup on the cold face of the heat recovery media. In this bake out mode, which lasts approximately 3 hours, the RTO is operated at a reduced air flow while the media outlet temperature is elevated, and then the flow direction is switched. The hot air then vaporizes any organic buildup on the cold face (inlet) of the media chamber. The flow direction is then switched to clean the cold face of the second media chamber. The frequency of these bake outs is based upon manufacturer's specified recommendations.

Proposed Modifications:

Administrative Amendment No. SE-16-006 was submitted to clarify equipment nomenclature and to document as-built conditions at the facility with respect to NMCPA No. SE-15-020. NMCPA No. SE-15-020 approved the installation and operation of a 6.0 MMBtu/hr natural gas fired oven box as a design modification to the existing Oven Line 1 (EU#1), the replacement of the microwave infeed of oven line 1 (EU#1) with a steam table infeed, an additional 1.65MMBtu/hr natural gas fired Alkar Smokehouse (or equivalent) Oven (EU#5), and a 3.6MMBtu/hr natural gas fired Flame Grill as a replacement for the steam table infeed of Oven Line 2 (EU#2), and an air to water heat exchanger unit to be installed within the RTO stack. The increased oven capacity on EU#1 will result in a total heat input of 15.28 MMBtu/hr for the oven line. All other oven lines and fuel burning equipment remain below 10 MMBtu/hr with the exception of the RTO and the existing Cleaver Brooks boiler. The fuel burning emissions for EU#1 are included in this plan approval and are based on AP-42 emission factors for a natural gas fired external combustion source.

All exhausts from the oven box modification to EU#1, the additional Oven (EU#5), and the Flame Grill modification to EU#2 will be directed to the RTO utilizing ducting affixed to each unit respectively. One isolation damper will be added to accommodate exhausts from the new Smoker Oven (EU#5). The exhausts from the oven box modification and Flame Grill will utilize new isolation dampers that will be synchronized with the existing oven isolation dampers.

In addition to the installation of the new equipment, the facility is proposing emission limits for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP)¹ based on VOC emission factors developed for a similar facility in Fort Atkinson, WI and a HAP component based on a ratio developed by the U.S. EPA National Emissions Inventory for Commercial Cooking. The emissions of VOC and HAP will assume a minimum overall control efficiency of 89.1 percent, based on previously approved capture efficiency between 90 and 100 percent and the existing RTO manufacturer's estimated 99 percent VOC destruction efficiency.

In a stack test on November 20-21, 2013, Home Market Foods demonstrated compliance with the particulate matter emission limits contained in Air Quality Plan Approval No. SE-13-005 as documented in the Final Report dated January 2, 2014 from Eastmount Environmental Services.

Air Quality Plan Application No. SE-13-005 contained the results of emissions dispersion modeling, which was conducted on a qualitative basis. The emissions dispersion modeling was conducted in order to optimize the height of the emission stack for the RTO. The emissions dispersion modeling was not conducted to demonstrate compliance with the National Ambient Air Quality Standards (NAAQS) nor was it conducted to demonstrate there would be no nuisance condition due to odor. MassDEP reserves all rights to require additional actions by the Permittee, should a nuisance condition due to odor be deemed to exist.

The Permittee operates a natural gas fired Cleaver Brooks boiler with a maximum heat input rate of 12.25 million Btu per hour, which is subject to the Industry Performance Standards at 310 CMR 7.26(30). The permittee will be installing two (2) new 5 MMBtu/hr boilers as a supplement to the existing Cleaver Brooks boiler. The two new boilers are being installed in accordance with

¹ HAP as listed in the 1990 Clean Air Act (CAA) Amendments, Section 112(b)

the exemption at 310 CMR 7.02(2)(b)15. Facility-wide emissions, to include fuel burning, will remain below major source thresholds.

Best Available Control Technology (BACT) is defined in Table 2.

2. EMISSION UNIT (EU) IDENTIFICATION

Each Emission Unit (EU) identified in Table 1 is subject to and regulated by this Plan Approval:

Table 1			
EU#	Description	Design Capacity	Pollution Control Device (PCD)
1	Natural gas fired Conveyor-type meat cooking line: 2 Stein ovens (4.64 MMBtu/hr each) Stein oven (6.0 MMBtu/hr)	15.28 MMBtu/hr (total) 14,000 lbs/hr (meat)	Anguil Environmental Systems RTO Model 300 Heat input: 10 MMBtu/hr Maximum air flow: 30,000 scfm (wet)
2	Natural gas fired Conveyor-type meat cooking line: 2 Stein ovens (2.15 MMBtu/hr each) Flame Grill (3.6 MMBtu/hr)	7.9 MMBtu/hr (total) 6,000 lbs/hr (meat)	
3	Natural gas fired Conveyor-type meat cooking line: Meat searing burner (0.4 MMBtu/hr) 2 Stein cook ovens (2.15 MMBtu/hr)	4.7 MMBtu/hr (total) 5,000 lbs/hr (meat)	
4	Enviropak Smoke Oven 1	2.35 MMBtu/hr (NG) 4.17 lbs/hr (wood) 7,500 lbs/batch (meat) ^{Note 1}	
5	Alkar Smokehouse (or equivalent) Oven 2	1.65 MMBtu/hr (NG) 8.33 lbs/hr (wood) 7,500 lbs/batch (meat) ^{Note 1}	

Table 1 Notes:

- Enviropak is operated in batch mode, with each batch lasting approximately 5.5 hours

Table 1 Key:

EU# = Emission Unit Number
MMBtu/hr = million British thermal units per hour
NG = Natural Gas
PCD = Pollution Control Device
lbs/hr = pounds per hour
scfm = standard cubic feet per minute

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION and EMISSION LIMITS

The Permittee is subject to, and shall not exceed the Operational, Production, and Emission Limits as contained in Table 2, below:

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
1, 2, 3, 4 & 5	1. Capture efficiency: 90 to 100% ^{Note 4} 2. Destruction efficiency (PM / PM ₁₀ / PM _{2.5}): 95% ^{Note 5} 3. Destruction efficiency (VOC, HAP): 99% ^{Note 6} 4. Pressure differential across the RTO pre-filter between 0 and 5 inches of water, gage. 5. Minimum combustion chamber temperature of the RTO: 1,550°F 6. Minimum residence time at minimum temperature: 0.8 seconds	PM / PM ₁₀ / PM _{2.5}	0.02 gr/dscf ^{Note 1, 2, 5} 4.03 lb/hr ^{Note 1} 1.50 TPM 17.66 TPY ^{Note 3}
		VOC	1.06 lb/hr ^{Note 1, 7} 0.40 TPM ^{Note 7} 4.64 TPY ^{Note 7}
		HAP	0.11 TPM ^{Note 8} 1.25 TPY ^{Note 8}
		Opacity	5%
RTO (fuel burning)	7. Natural gas only	NO _x	0.1 lb/MMBtu 1.0 lb/hr ^{Note 1} 4.38 TPY
RTO (fuel burning)		CO	50 ppmv ^{Note 1} 6.5 lb/hr ^{Note 1} 28.47 TPY
1 (fuel burning)	8. Natural gas only	NO _x	0.098 lb/MMBtu ^{Note 9} 6.56 TPY ^{Note 9}
		CO	0.082 lb/MMBtu ^{Note 9} 5.51 TPY ^{Note 9}
		PM	0.0075 lb/MMBtu ^{Note 9} 0.50TPY ^{Note 9}
		VOC	0.0054 lb/MMBtu ^{Note 9} 0.36 TPY ^{Note 9}

Table 2 Key:

EU# = Emission Unit Number
 HAP = Hazardous Air Pollutant(s)
 PM = Total Particulate Matter
 PM₁₀ = Particulate Matter less than or equal to 10 microns in diameter
 PM_{2.5} = Particulate Matter less than or equal to 2.5 microns in diameter
 NO_x = Oxides of Nitrogen
 CO = Carbon Monoxide
 VOC = Volatile Organic Compound(s)

TPM = tons per month
TPY = tons per consecutive 12-month period
gr/dscf = grains per dry standard cubic foot
ppmv = parts per million by volume
lb/hr = pounds per hour
lb/MMBtu = pounds per million British thermal units

Notes:

1. lb/hr, ppmv and gr/dscf emission rates are for testing purposes only; compliance with these values does not need to be documented on a continuous basis.
2. gr/dscf includes the condensable fraction.
3. Annual emissions are based on 8,760 hours of operation per year at the facility's maximum design capacity.
4. Capture efficiency may be determined in accordance with EPA Alternative Method 020. Passing EPA Alternative Method 020 test will be accepted as a demonstration of capture efficiency.
5. Destruction efficiency of 95%, or an emission rate of 0.02 gr/dscf, whichever is less stringent.
6. A destruction efficiency of 99% is assumed based on RTO manufacturer's estimate and a residence time of 0.8 seconds at 1,550°F.
7. VOC emission factors are based on emission factors developed for the OSI Industries (On-Cor), LLC, Fort Atkinson, WI facility as confirmed by stack test and approved by the Wisconsin Department of Natural Resources. VOC emission limits were calculated assuming a capture efficiency of 90%, for an overall control efficiency of 89.1%
8. Meat cooking HAP emissions are based on an emission factor from the National Emissions Inventory indicating a ratio of 3.7:1 (VOC to HAP).
9. EU#1 fuel burning emissions are based on AP-42 emission factors for a natural gas fired external combustion source at 8760 hours of operation.

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to, and shall comply with, the monitoring, testing, record keeping, and reporting requirements as contained in Tables 3, 4, and 5 below:

Table 3	
EU#	Monitoring and Testing Requirements
1, 2, 3, 4 & 5	<p>1. The Permittee shall continuously monitor on the RTO:</p> <ol style="list-style-type: none"> a. Fan operation, b. Isolation damper positions, connected to an alarm, c. Combustion chamber temperature, d. Pressure drop across RTO pre-filter. <p>Fan failure shall trigger an alarm and activate the RTO bypasses. Excess temperature shall trigger an alarm, activate the RTO bypasses, and shutdown the RTO. The cook ovens shall not be operated until the RTO is at the minimum combustion chamber temperature as identified in Table 2.</p>
	<p>2. Within 60 days upon the required notification of the complete installation of all approved equipment, the Permittee shall test the RTO to determine compliance with the PM/PM₁₀/PM_{2.5} (gr/dscf, lb/hr) and VOC (lb/hr, as VOC) emission limitations, and the capture efficiency and destruction efficiency requirements contained in Table 2. Additionally, the testing shall include odor observations in the surrounding neighborhood. The testing shall be scheduled for a day when all three cooking lines and the two smoker ovens are operational.</p>
	<p>3. The Permittee shall monitor throughput, by weight, of meat processed through the cooking lines and wood used in the smoke ovens in order to calculate actual emissions using approved emission factors.</p>
Facility-wide	<p>4. The Permittee shall monitor all operations to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.</p>
	<p>5. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13.</p>

Table 3 Key:

CMR = Code of Massachusetts Regulations
EU# = Emission Unit Number
RTO = regenerative thermal oxidizer
PM = Total Particulate Matter
PM₁₀ = Particulate Matter less than or equal to 10 microns in diameter
PM_{2.5} = Particulate Matter less than or equal to 2.5 microns in diameter
VOC = Volatile Organic Compound(s)
USEPA = United States Environmental Protection Agency
gr/dscf = grains per dry standard cubic foot
lb/hr = pounds per hour

Table 4	
EU#	Record Keeping Requirements
1, 2, 3, 4 & 5	<p>1. Record on the RTO:</p> <ol style="list-style-type: none"> Pressure drop across the pre-filter Combustion chamber temperature <p>The Permittee shall record no less than one data point every 15 minutes. The data point shall represent a 15 minute block average.</p>
Facility-wide	<p>2. The Permittee shall maintain adequate records on-site to demonstrate compliance with all operational, production, and emission limits contained in Table 2 above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve month period (current month plus prior eleven months). These records shall be compiled no later than the 15th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/dep/air/approvals/aqforms.htm#report.</p>
	<p>3. The Permittee shall maintain records of monitoring and testing as required by Table 3.</p>
	<p>4. The Permittee shall maintain documentation of all maintenance performed as required by the Standard Operating and Maintenance Procedure (SOMP). The SOMP may be updated as required and the most up to date version kept on-site.</p>
	<p>5. The Permittee shall maintain a copy of this Plan Approval and underlying Application.</p>
	<p>6. The Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(s) and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.</p>
	<p>7. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s), PCD(s) and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation.</p>
	<p>8. The Permittee shall maintain records to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.</p>
	<p>9. The Permittee shall maintain records required by this Plan Approval on-site for a minimum of five (5) years.</p>
	<p>10. The Permittee shall make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.</p>

Table 4 Key:

CMR = Code of Massachusetts Regulations
EU# = Emission Unit Number
PCD = Pollution Control Device
SOMP = Standard Operating and Maintenance Procedure
USEPA = United States Environmental Protection Agency

RTO = regenerative thermal oxidizer

Table 5	
EU#	Reporting Requirements
1, 2, 5	1. The Permittee shall notify MassDEP within 7 business days upon the complete installation of the approved equipment.
Facility-wide	2. The Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a “Responsible Official” as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).
	3. The Permittee shall notify the Southeast Regional Office of MassDEP, BAW Permit Chief by telephone (508-946-2824), email, (sero.air@state.ma.us) or fax (508-947-6557), as soon as possible, but no later than three (3) business days after discovery of an exceedance(s) of Table 2 requirements. A written report shall be submitted to Permit Chief at MassDEP within ten (10) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).
	4. The Permittee shall report to MassDEP, in accordance with 310 CMR 7.12, all information as required by the Source Registration/Emission Statement Form. The Permittee shall note therein any minor changes (under 310 CMR 7.02(2)(e), 7.03, 7.26, etc.), which did not require Plan Approval.
	5. The Permittee shall provide a copy to MassDEP of any record required to be maintained by this Plan Approval within 30-days from MassDEP’s request.
	6. The Permittee shall submit to MassDEP for approval a stack emission pretest protocol, at least 30 days prior to emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.
	7. The Permittee shall submit to MassDEP a final stack emission test results report, within 45 days after emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.

Table 5 Key:

BAW= Bureau of Air and Waste
 CMR= Code of Massachusetts Regulations
 EU# = Emission Unit Number
 RTO = regenerative thermal oxidizer

4. **SPECIAL TERMS AND CONDITIONS**

The Permittee is subject to, and shall comply with, the following special terms and conditions:

- A. The Permittee shall comply with the Special Terms and Conditions as contained in Table 6, below:

Table 6	
EU#	Special Terms and Conditions
1, 2, 3, 4 & 5	1. The RTO shall be operational whenever any cooking line or smoker oven is in use. The RTO shall not be by-passed at any time, this includes during the cooking line and smoker oven cleaning cycles. An RTO cleaning/bake out cycle shall only occur when the associated ovens are not in use. It is acceptable to operate an oven without the RTO for inspection / testing, provided the ovens have completed the clean in place cycle.
	2. Special Condition No. 1 above notwithstanding, in the event of an upset, malfunction, or non-routine maintenance of the RTO, the Permittee may continue to operate the cooking lines and smoker ovens without the RTO to allow the completion of the current batch production run. The batch production run shall be considered to include any product that is removed from the last step down cooler (prior to grinding and blending) and additional product provided it can be processed through the oven within six (6) hours.
	3. The media in the RTO pre-filter shall be cleaned or replaced as necessary to ensure that the pressure differential does not exceed 5 inches of water, as established in Table 2 of this Plan Approval.
Facility-wide	4. The Permittee shall maintain the RTO and associated duct work and fans in accordance with the Standard Operating and Maintenance Procedures (SOMP).
	5. MassDEP reserves all rights to require additional odor control measures should it be deemed necessary by MassDEP.
	6. This Approval letter shall supersede the Approval letter for NMCPA No. SE-15-020 issued on November 24, 2015. Except as amended by this letter and Administrative Amendment Application No. SE-16-006, Non-Major Comprehensive Plan Application No. SE-15-020, as submitted under Transmittal No. X266968 and approved on November 24, 2015, shall remain in effect.

Table 6 Key:

EU# = Emission Unit Number
RTO = regenerative thermal oxidizer
lb/hr = pounds per hour
TPM = tons per month
TPY = tons per consecutive 12-month period
VOC = Volatile Organic Compound(s)

- B. The Permittee shall install and use an exhaust stack, as required in Table 7, on each of the Emission Units that is consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. Each exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices known as “shanty caps” and “egg beaters.” The Permittee shall install and utilize exhaust stacks with the following parameters, as contained in Table 7 below, for the Emission Units that are regulated by this Plan Approval:

Table 7				
EU#	Stack Height Above Ground (feet)	Stack Inside Exit Dimensions (inches)	Stack Gas Exit Velocity Range (feet per second)	Stack Gas Exit Temperature Range (°F)
1, 2, 3, 4 & 5	80	48	10 – 40*	160 – 350*

Table 7 Key:
EU# = Emission Unit Number
°F = Degree Fahrenheit
* = nominal

5. GENERAL CONDITIONS

The Permittee is subject to, and shall comply with, the following general conditions:

- A. Pursuant to 310 CMR 7.01, 7.02, 7.09 and 7.10, should any nuisance condition(s), including but not limited to smoke, dust, odor or noise, occur as the result of the operation of the Facility, then the Permittee shall immediately take appropriate steps including shutdown, if necessary, to abate said nuisance condition(s).
- B. If asbestos remediation/removal will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that all removal/remediation of asbestos shall be done in accordance with 310 CMR 7.15 in its entirety and 310 CMR 4.00.
- C. If construction or demolition of an industrial, commercial or institutional building will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that said construction or demolition shall be done in accordance with 310 CMR 7.09(2) and 310 CMR 4.00.
- D. Pursuant to 310 CMR 7.01(2)(b) and 7.02(7)(b), the Permittee shall allow MassDEP and / or USEPA personnel access to the Facility, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
- E. This Plan Approval does not negate the responsibility of the Permittee to comply with any other applicable Federal, State, or local regulations now or in the future.
- F. Should there be any differences between the Application and this Plan Approval, the Plan Approval shall govern.
- G. Pursuant to 310 CMR 7.02(3)(k), MassDEP may revoke this Plan Approval if the construction work is not commenced within two years from the date of issuance of this Plan Approval, or if the construction work is suspended for one year or more.

- H. This Plan Approval may be suspended, modified, or revoked by MassDEP if MassDEP determines that any condition or part of this Plan Approval is being violated.
- I. This Plan Approval may be modified or amended when in the opinion of MassDEP such is necessary or appropriate to clarify the Plan Approval conditions or after consideration of a written request by the Permittee to amend the Plan Approval conditions.
- J. The Permittee shall conduct emission testing, if requested by MassDEP, in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13. If required, a pretest protocol report shall be submitted to MassDEP at least 30 days prior to emission testing and the final test results report shall be submitted within 45 days after emission testing.
- K. Pursuant to 310 CMR 7.01(3) and 7.02(3)(f), the Permittee shall comply with all conditions contained in this Plan Approval. Should there be any differences between provisions contained in the General Conditions and provisions contained elsewhere in the Plan Approval, the latter shall govern.

6. MASSACHUSETTS ENVIRONMENTAL POLICY ACT

MassDEP has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy & Environmental Affairs, for air quality control purposes, was not required prior to this action by MassDEP. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and 301 CMR 11.00, Section 11.04, provide certain “Fail-Safe Provisions,” which allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report (EIR) at a later time.

7. APPEAL PROCESS

This Plan Approval is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Plan Approval.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. Additionally, the request must state why the Plan Approval is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

This request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Enclosed is a stamped approved copy of the application submittal.

Should you have any questions concerning this Plan Approval, please contact Peter Russell by telephone at 508-946-2821, or in writing at the letterhead address.

Sincerely,

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Thomas Cushing, Chief
Permit Section
Bureau of Air and Waste

Enclosure

cc: Norwood Board of Health, attn: S. Reiss
Norwood Fire Department
C. Schultz, HMF
T. Kirwan, HMF
S. Pisano, GeoInsight.
M. Pinaud DEP/SERO
P. Russell, DEP/SERO
Y. Tian DEP/Boston